


ORIGINAL

Approved:   
MICHAEL D. LONGYEAR/JACOB WARREN  
Assistant United States Attorneys

Before: THE HONORABLE JAMES L. COTT  
United States Magistrate Judge  
Southern District of New York

19MAG2733.

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violation of
	:	18 U.S.C. § 844(i)
LARRY WHITE,	:	
	:	COUNTY OF OFFENSE:
Defendant.	:	NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMES GRZELAK, being duly sworn, deposes and says that he is a Detective with the New York City Police Department (the "NYPD"), and charges as follows:

COUNT ONE

1. On or about January 14, 2019, in the Southern District of New York and elsewhere, LARRY WHITE, the defendant, knowingly and maliciously did damage and destroy, and attempt to damage and destroy, by means of fire and explosive, a vehicle, used in interstate and foreign commerce, and in any activity affecting interstate and foreign commerce, to wit, WHITE set two vehicles on fire in Manhattan.

(Title 18, United States Code, Section 844(i).)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Detective with the NYPD. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement agents and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation.

Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my review of reports and records, and my conversations with other law enforcement officers, I have learned, among other things, the following:

a. On or about January 25, 2019, the Honorable Robert W. Lehrburger, United States Magistrate Judge for the Southern District of New York, authorized a search warrant of a cellphone seized from an individual ("CC-1" and the "CC-1 Cellphone"). The CC-1 Cellphone was seized from CC-1 by the NYPD on or about January 19, 2019. I have reviewed the contents of the CC-1 Cellphone.

b. The CC-1 Cellphone exchanged numerous communications with a cellphone that belongs to LARRY WHITE, the defendant, (the "WHITE Cellphone") between November 2018 and January 2019.<sup>1</sup> Some of those text messages appear to discuss potential robbery victims at night clubs. For example, on or about January 10, 2019, the WHITE Cellphone and the CC-1 Cellphone exchange the following text messages:

<u>WHITE Cellphone:</u>	Wyd [what you doing] tonight
<u>CC-1 Cellphone:</u>	Tryna figure it out now
<u>WHITE Cellphone:</u>	I might go to City scapes
<u>WHITE Cellphone:</u>	Tryna catch something
<u>CC-1 Cellphone:</u>	O ok
<u>CC-1 Cellphone:</u>	How its looking
<u>WHITE Cellphone:</u>	I came to Babylon
<u>CC-1 Cellphone:</u>	Send me pic of em

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<sup>1</sup> As explained further herein, the WHITE Cellphone was seized when WHITE was arrested for a New York State Parole violation on or about March 7, 2019. See supra ¶ 4. Based on my review of the content of the WHITE Cellphone, including the pictures, text messages, and location data, I know the WHITE Cellphone was in fact used by WHITE.

CC-1 Cellphone: Son know da one on da end

CC-1 Cellphone: Left

c. Based on my training and experience, and participation in this investigation, I believe that in the above excerpted text messages WHITE and CC-1 are taking about potential robbery targets ("tryna catch something" and "send me pick of em") at night clubs in New York (both City Scapes and Babylon are night clubs in the New York area).

d. On January 3, 2019, the WHITE Cellphone and the CC-1 Cellphone exchanged the following text messages:

WHITE Cellphone: I'm waiting for a n---- to walk out

CC-1 Cellphone: U been out to a club?

WHITE Cellphone: Ricardo

. . . . .

CC-1 Cellphone: Let me know if Cas pull up there

CC-1 Cellphone: Caught something there inside

WHITE Cellphone: Who?

CC-1 Cellphone: Some n----

CC-1 Cellphone: N---- told

WHITE Cellphone: U?

CC-1 Cellphone: Told on my lil homie

CC-1 Cellphone: Had to get low

. . . . .

WHITE Cellphone: I caught somebody

CC-1 Cellphone: ? ? ? ?

4

CC-1 Cellphone: U didn't show me

WHITE Cellphone: Diamond chain

CC-1 Cellphone: Let me see probably can get u right

WHITE Cellphone: I did something with it already

CC-1 Cellphone: Speedy gonzalez

e. Based on my training and experience, and participation in this investigation, I believe that in the above excerpted text messages WHITE and CC-1 are taking about potential robbery targets ("caught something there inside"). It also appears that the robbery victim may have notified security and/or law enforcement that he was the victim of a robbery ("told on my lil homie" and "had to get low"). It further appears that WHITE robbed someone of a "diamond chain" and that CC-1 was prepared to fence the diamond chain ("let me see probably can get u right"), but WHITE had already sold the diamond chain ("I did something with it already").

4. On or about March 1, 2019, the Honorable Katharine H. Parker, United States Magistrate Judge for the Southern District of New York, authorized a search warrant for the contents of the WHITE Cellphone, as well as prospective and historical location information of the WHITE Cellphone. I seized the WHITE Cellphone on or about March 7, 2019 when WHITE was arrested for a violation of his New York State Parole conditions. I subsequently reviewed the contents of the WHITE Cellphone.

5. Based on my review of the contents of the WHITE Cellphone, I have learned, among other things, the following:

a. On or about January 6, 2019, WHITE had the following conversation with another individual ("CC-2"):

WHITE Cellphone: I got something for us tonight.

CC-2 Cellphone: Ok

WHITE Cellphone: Inside action

5

CC-2 Cellphone: Word  
CC-2 Cellphone: Where  
WHITE Cellphone: 118st  
WHITE Cellphone: 7&lenox  
CC-2 Cellphone: Ok bet  
CC-2 Cellphone: What time  
WHITE Cellphone: Whenever we ready  
CC-2 Cellphone: Ok

b. Four days later, on or about January 10, 2019, WHITE had the following conversation with CC-2:

CC-2 Cellphone: I'm sitting here thinking how my name all on that and I ain't get nothing off that not a penny that's crazy  
CC-2 Cellphone: I'm texting KUZ I'm around ppl but that this just hit me  
WHITE Cellphone: A lot of ppl names was in it that didn't get nothing. Quick called n---- over there and he ain't get nothing  
CC-2 Cellphone: Yea but wat if something happen to me or I gotta do something to somebody for nothing  
CC-2 Cellphone: And we was the main ppl  
WHITE Cellphone: I'm ride with u til da wheels fall off. If u wanna do something to son I'm with you.  
WHITE Cellphone: That shit gone already  
CC-2 Cellphone: Ight but even for me to have to do something for nothing is crazy

6

c. Five days later, on or about January 15, 2019, WHITE had the following conversation with CC-2. A screenshot of that conversation from the WHITE Cellphone is pictured below (the messages from the WHITE Cellphone appear in blue):

Tue, Jan 15, 12:46 AM

I did dat

Tue, Jan 15, 5:30 AM

Shit on the news

Word

Yea 7

d. At approximately 5:42 AM on January 15, 2019, approximately ten minutes after receiving the text message directly above ("Yea [Channel] 7"), WHITE sent a text message that included a link to a YouTube video (the "Video") of two cars on fire in Manhattan, which text message is copied directly below:

7

Tue, Jan 15, 5:42 AM



**Manhattan car fire**  
youtu.be



**Delivered**

e. WHITE sent the Video to another individual ("CC-3"). After receiving the Video, CC-3 asked WHITE: "Who car bro." WHITE responded: "121st and 8th." CC-3 then replied: "lol Hahahahaha."

f. WHITE also sent the Video to CC-1 on January 15, 2019. After receiving the Video, CC-1 asks WHITE: "Dat was it or da other shit." WHITE replies: "Son dat put da bag up."

6. I have listened to a prison call from the Riker's Island Prison Complex to the WHITE Cellphone<sup>2</sup> on January 15, 2019 at approximately 5:51 PM, which included the following exchange, in substance and in part:

WHITE: I met up with son, ya heard, son didn't want no problems, son with the car . . . he saying, yo I don't know who robbed me . . .

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<sup>2</sup> In addition to this call being placed to the WHITE Cellphone, I recognized one of the voices on this call being WHITE based on my previous conversation with WHITE when I seized the WHITE Cellphone on or about March 7, 2019.



8

he saying I ain't see nobody, I can't put the bag on . . . I'm like alright, and he didn't say nothing about the car . . . he like man, first they take my shit, and then they set my car on fire, I ain't got time for this shit.

Inmate-1: I don't understand how you can be a criminal, and then the same law you break you use that law to go tell on somebody . . . you selling drugs and you scamming, and as soon as you get robbed you telling the police, I don't understand that.

7. Based on my review of the Video, my review of police reports and records, my review of surveillance video (the "Surveillance Video"), and my conversations with other law enforcement officers, I know that a vehicle ("Vehicle-1") was set on fire near 121st Street and 8th Avenue (see supra ¶ 5.e.) on the evening of January 14, 2019 by an individual who appeared to pour gasoline on Vehicle-1 and set Vehicle-1 on fire. The individual's face who set Vehicle-1 on fire is not visible in the Surveillance Video. The fire from Vehicle-1 spread to another vehicle ("Vehicle-2," and collectively the "Vehicles"). The Vehicles were destroyed by the fire.

8. Based on my training and experience and my participation in this investigation, it appears that: (1) WHITE and other co-conspirators robbed an individual on January 6, 2019 (see supra ¶ 5.a.); (2) WHITE and his co-conspirators obtained little or no proceeds from the robbery, were concerned about getting caught, and contemplated harming the robbery victim ("If you wanna do something to son I'm with you") (see supra ¶ 5.b.); (3) WHITE set the robbery victim's car on fire ("I did dat [fire emoji]") as an act of intimidation to the robbery victim ("Son dat put da bag up")<sup>3</sup> (see supra ¶¶ 5.c. - 5.f.); and (4) WHITE went to the robbery victim to intimidate the robbery victim in-person after WHITE set Vehicle-1 on fire

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<sup>3</sup> Based on my training and experience, and participation in this investigation, I believe WHITE's statement here - "Son dat put da bag up" - is a reference to WHITE's belief that the robbery victim had communicated with the police, which is further corroborated by the recorded call to WHITE. See supra ¶ 6.



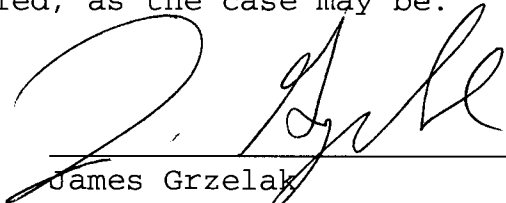
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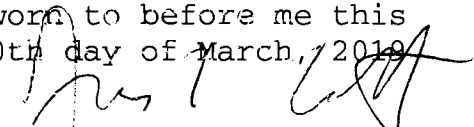
("I met up with son, ya heard, son didn't want no problems, son with the car") (see supra ¶ 6).

9. Based on my review of the historical location information for the WHITE Cellphone, I know that the WHITE Cellphone was in the vicinity of the scene of the arson at the approximate time the Vehicles were set on fire.

10. Based on my review of reports and records, and my conversations with witnesses, I know that the Vehicles were used in interstate commerce.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of LARRY WHITE, the defendant, and that he be imprisoned or bailed, as the case may be.

  
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James Grzelak  
Detective, NYPD

Sworn to before me this  
20th day of March, 2019  
  
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THE HONORABLE JAMES L. COTT  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK